

ORDINANCE NO. 2001 - 080

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO ESTABLISH A CONSTRAINED ROADWAY AT LOWER LEVEL OF SERVICE DESIGNATION FOR **STATE ROAD 7**, BETWEEN LAKE WORTH ROAD AND SOUTHERN BOULEVARD, FOR THE EXPANSION OF THE WELLINGTON REGIONAL HOSPITAL AND RELATED FACILITIES); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 15, 22 and July 13, 2001 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on August 14, 2001 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on November 5, 2001 the

1 Department of Community Affairs "Objections, Recommendations, and
2 Comments Report," dated November 2, 2001 which was the
3 Department's written review of the proposed Comprehensive Plan
4 amendments; and

5 WHEREAS, the written comments submitted by the Department
6 of Community Affairs contained no objections to the amendments
7 contained in this ordinance;

8 WHEREAS, on December 5, 2001 the Palm Beach County Board of
9 County Commissioners held a public hearing to review the written
10 comments submitted by the Department of Community Affairs and to
11 consider adoption of the amendments; and

12 WHEREAS, the Palm Beach County Board of County
13 Commissioners has determined that the amendments comply with all
14 requirements of the Local Government Comprehensive Planning and
15 Land Development Regulations Act.

16 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
17 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

18 Part I. Amendments to the 1989 Comprehensive Plan

19 Amendments to the text of the following Element of the 1989
20 Comprehensive Plan are hereby adopted and attached to this
21 Ordinance in Exhibit 1:

- 22 A. Transportation Element, to establish a Constrained
23 Roadway at Lower Level of Service (CRALLS) designation
24 for State Road 7, between Lake Worth Road and Southern
25 Boulevard, for the expansion of the Wellington
26 Regional Hospital and related facilities and
27 B. Amending all elements as necessary for internal
28 consistency.

29 Part II. Repeal of Laws in Conflict

30 All local laws and ordinances applying to the
31 unincorporated area of Palm Beach County in conflict with any
32 provision of this ordinance are hereby repealed to the extent of
33 such conflict.

34 Part III. Severability

35 If any section, paragraph, sentence, clause, phrase, or

word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

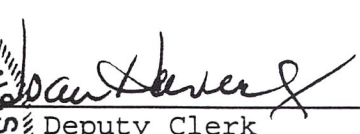
Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 5 day of December, 2001.

ATTEST:
DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

 Deputy Clerk

 Warren H. Newell, Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


COUNTY ATTORNEY

Filed with the Department of State on the 14th day of December, 2001.

EXHIBIT 1

A. Transportation Element, State Road 7 Constrained Roadway at Lower Level of Service (CRALLS)

REVISIONS: To add language in Policy 1.2-f designating State Road 7 as a CRALLS facility. The added text is shown in underlined.

1. **REVISED Policy 1.2-f:** The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. *(Unchanged text omitted for brevity)*

9)

- a) State Road 7 as a 6 lane facility from Forest Hill Boulevard to Lake Worth Road is hereby designated as a CRALLS facility exclusively for the purpose of concurrency for projects with concurrency approvals as of August 24, 1999 and shall be in effect until such time that State Road 7 is widened to 8 lanes. Once the roadway segment is widened, the Board of County Commissioners shall re-evaluate the CRALLS facility. The facility's level of service standard volumes shall be as shown below:

Year	Daily Volume	Peak Hour Volume	Peak Hour, Peak Direction Volume
2000	38,629	3,527	2,016
2001	43,801	4,004	2,221
2002	48,973	4,480	2,427
2003	54,145	4,957	2,632
2004	59,317	5,433	2,837
2005	64,489	5,910	3,042

- b) The following segments of State Road 7 as a six-lane facility are hereby designated as CRALLS facilities exclusively for the purpose of concurrency for the expansion of the existing hospital and the construction of the Wellington Medical Phase I project.

- 1) State Road 7 from Southern Boulevard to Forest Hill Boulevard
Daily level of service: 59,895 vehicles per day
Peak hour standard: 5,485 vehicles per hour
- 2) State Road 7 from Forest Hill Boulevard to Lake Worth Road
Daily level of service: 58,227 vehicles per day
Peak hour standard: 5,338 vehicles per hour

This CRALLS designation shall remain in effect until the widening of these segments commences.

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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 5, 2001.
DATED at West Palm Beach, FL on 12/31/01.
DOROTHY H. WILKEN, Clerk
By: W. Lane Brown D.C.